IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Tr.P(C).No. 18 of 2007

AGAINST THE ORDER IN OP 1708/05 IN
OP.781/2005 of FAMILY COURT, NEDUMANGAD

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PETITIONER:

SOLINA, D/O.MEENA,
UTHRAN, NEAR RAILWAY STATION,
KADAKKAVUR, CHIRAYINKIL TALUK, TRIVANDRUM DISTRICT

BY ADV. SRI.M.DINESH

RESPONDENTS:

SHIJU RAJAN, S/O.D.RAJAN, SWARALAYAM,
NEAR K.S.R.T.C. BUS STATION, ALUMOODU,
KANYAPURAM, PALLIPPURAM VILLAGE, TRIVANDRUM,
FROM VASANTHA BHAVAN, NEAR HOLY CROSS HOSPITAL,
MURUKKUMPUZHA, PILLAVEETU MURI, VAILOOR VILLAGE,
TRIVANDRUM DISTRICT.

BY

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

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Tr.P.(C)NO.18 OF 2007

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Dated this the 5th day of March 2007

ORDER

Respondent is the husband of the petitioner. The petition filed for divorce and maintenance by the petitioner is now pending before the Family Court, Nedumangad as O.P.781/05 and petition filed by the respondent for restitution of conjugal right is now pending before the Family Court, Nedumangad as O.P.1708/05. Both these cases were originally pending before the Family Court, Trivandrum. The prayer of the petitioner is to have it transferred back to Family Court, Trivandrum for the reason that on account of her ailment she cannot travel for long distance by road. The respondent is stated to be employed in gulf and is represented by a lawyer to whom notice by speed post had been issued on 16.1.2007. Though the prayer in the O.P. is for transfer of the case from Family Court, Nedumangad to Family Court, Trivandrum, counsel for the petitioner submits that his prayer was so advanced as the cases were being adjourned indefinitely for reason of absence of the respondent and that if the cases are disposed of within a time limit she is

prepared to attend before court even if she is to suffer on that account.

2. In the result, I direct the Family Court, Nedumangad to dispose of both O.Ps.781/05 and 1708/05 as expeditiously as possible and in any event within three months from the date on which a copy of this order is received by her. Petitioner shall be at liberty to produce a copy of this order before the Family Court Judge, Nedumangad so as to enable disposal of the case at the earliest in compliance with this order.

This transfer petition is disposed of as above.

K.P.BALACHANDRAN, JUDGE

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